

## **Remarks:**

### **Overview**

Upon reviewing the original application and the examiner's response, the applicant realizes that a key feature of his invention should have been more clearly described. Specifically, that the beams on which the latch tabs are centrally located are not only separated by a central void, but that an outer void also separates each beam from the rest of the backing plate.

These outer voids were clearly illustrated in FIG. 5, FIG. 6, and FIG. 8 of the original application. Thus, the applicant believes that a more detailed description of them in this amendment does not constitute the addition of new matter, but merely clarifies a feature that was shown but inadvertently not fully described. The applicant has therefore amended the specification, claim, and abstract more distinctly and narrowly in order to overcome the technical rejections and define the invention patentably over the prior art.

The applicant would like to note that the date of this application – January 11, 2002 – coincides with the day he completed a 30 radiation treatment for mantle cell lymphoma, a form of blood cancer. Radiation treatment can cause significant cumulative fatigue, thus the applicant thinks this may have been the reason for this and other minor omissions in the application. The applicant is happy to note that his cancer is in complete remission. A copy of his dated certificate of completion of radiation treatment at Massachusetts General Hospital is included in Appendix 3.

### **IDS not in Compliance**

The applicant did not include a date for the Empire Brush Prior Art sponge mop cited.

### **IDS brought into Compliance**

Enclosed in Appendix 2 is a copy of the printed poly bag packaging accompanying Empire Brush Prior Art sponge mop, showing a copyright date of 1985. Thus, this prior art was

likely being manufactured at least as early as 1985. The applicant could find no other dated sales literature or any record that this prior art was ever patented. Also included in Appendix 2 is a photograph of the Prior Art Empire Brush sponge mop, and a copy of the original IDS.

**Claim Rejections under 35 U.S.C. § 102**

Claim 1 was rejected under 35 U.S.C § 102(b) as being anticipated by Harrah (USPN 5375286), Smith (USPN 6029302), Morgan (USPN 3050761), and Empire Brush Prior Art.

**Claim Rejections under 35 U.S.C. § 102 are Overcome**

The applicant's invention is similar to the above citations in that all teach a latch to secure a mop head comprising a pair of opposed tabs separated by a void. However, the novel feature distinguishing the applicant's invention over these patents and prior art lies in the additional structure of the latch, namely that an outer void separates each beam longitudinally from the rest of the backing plate. None of the above citations teaches this novel feature.

The applicant has more distinctly described the novel and structural differences of his invention in the above amendments. Claim 1 has been cancelled and re-presented as Claim 2, with the invention's novel and structural differences more distinctly and narrowly described. The applicant therefore requests reconsideration and withdrawal of these rejections.

The applicant would respectfully like to note that his invention is classified in a crowded art; therefore, a small step forward should be regarded as significant.

**Claim Rejections under 35 U.S.C. § 112**

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite and having several insufficient antecedents.

**Rejections under 35 U.S.C. § 112 are Overcome**

Claim 1 has been cancel and re-presented as Claim 2, with the above errors corrected.

Therefore, applicant submits that patentable subject matter is clearly present. If the examiner agrees but does not feel that the present claim is technically adequate, applicant respectfully requests that the examiner write an acceptable claim pursuant to M.P.E.P. 707.07 (j).

**Drawings**

Replacement drawings meeting PTO standards are included in Appendix 1. They are essentially tracings of the preliminary photographs and drawings submitted with the original application.

**Conclusion**

For all the above reasons, the applicant submits that the specification and claims are now in proper form, and that the claims define patentably over the prior art. Therefore the applicant respectfully submits that this application is now in condition for allowance.

In addition, the applicant would like to bring to the attention of the Examiner the fact that this invention is now in mass-production and has begun to attain commercial success. To date over 400,000 sponge mops and sponge mop refills have been manufactured and sold using this invention. Thus, the timely allowance of this application would be most useful to the applicant in order to help prevent the invention from being “knocked off” by much larger competitors.

**Conditional request for Constructive Assistance**

The applicant has amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, the applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.03 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,

A handwritten signature in black ink, appearing to read "Robert A. Cann". The signature is fluid and cursive, with the first name "Robert" and last name "Cann" clearly distinguishable.

Robert A. Cann

-----Applicant Pro Se-----

189 Mill Lane  
Amherst, MA 01002  
phone + fax 413-253-9423

**Attachment: Appendix 1 to Amendment A (Replacement drawings, 6 sheets)**

**Attachment: Appendix 2 to Amendment A (IDS Addendum, 3 sheets)**

**Attachment: Appendix 3 to Amendment A (Certificate of Radiation Treatment, 1 sheet)**

**Petition for Extension of Time:**

Applicant respectfully petitions that the outstanding Office Action response period for the above application be extended for four months. Enclosed is a Small Entity Four Month Patent Application Extension Fee of \$740, to be paid by credit card. Form PTO-2038 is attached.

Outstanding Office Action Mailed November 5, 2003

Original Period for Response Expired February 5, 2004

Request for Four Month Extension to June 5, 2004

Saturday, June 5, 2004



Robert A. Cann, Applicant

**Certificate of Mailing:**

I certify that on the date below this document and referenced attachments will be deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

“COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.”

Saturday, June 5, 2004

A handwritten signature in cursive script that reads "Robert A. Cann". The signature is written in dark ink and is positioned above a horizontal line.

Robert A. Cann, Applicant